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2005 MAY 10 P 12:55

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
Northern Division DIVISIONDEBORAH WACKETT, CLK
US DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
3327 Lunceford St.
Montgomery, AL 36108
PlaintiffSecretary of Veterans
AFFAIRS
R. James Nicholson
Defendant(s)

2:05cv437-T

EEOC# 130 2005 00068X
Agency# 2001-0619-2004102917COMPLAINT

1. Plaintiff resides at 3327 Lunceford St. Montgomery, AL 36108
2. Defendant(s)' name(s) R. James Nicholson

Location of principal office(s) of the named defendant(s) Washington D.C.Nature of defendant(s)' business Health Care for VeteransApproximate number of individuals employed by defendant(s) 230,000 +

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. § 2000e-5. Equitable and other relief are also sought under 42 U.S.C. § 2000e-5(g).
4. The acts complained of in this suit concern:

1. ☐ Failure to employ me.
2. ☒ Termination of my employment.
3. ☐ Failure to promote me.
4. ☒ Other acts as specified below: Harassment & Discrimination

Wrongful Termination

SCANNED

WP 5/11/05

EEOC# 0-2005 00068X
Agency# 2001-0619-2004102917

5. Plaintiff is:

- A. ☐ Presently employed by the defendant.
☒ Not presently employed by the defendant. The dates of employment were May 14, 2003 / MAY 14 2004. Employment was terminated because:

- (1) ☒ Plaintiff was discharged.
 (2) ☐ Plaintiff was laid off.
 (3) ☐ Plaintiff left job voluntarily.

6. Defendant(s)' conduct is discriminatory with respect to the following:

- A. ☒ My race.
 B. ☐ My religion.
 C. ☐ My sex.
 D. ☐ My national origin.
 E. ☐ Other, as specified below: _____

7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are) Harold Carlisle VISA 7 System Telecom Administrator
William Greer CHIEF Information Officer, Sandra Venne
Vista Imaging System Manager

8. The alleged discrimination occurred on or about MAY 16 2003 - MAY 14, 2004

9. The nature of my complaint, i.e., the manner in which the individual(s) named above discriminated against me in terms of the conditions of my employment, is as follows:

- ① From the time I was hired as project manager I was placed under a pharmacist as my supervisor, I'm I.T.
 ② On a falsely alleged allegation Harold Carlisle strip me of my administrative duties, even after finding out the allegation was false.
 ③ I was the only GS-12 that was never given an office.
 ④ My 1st 6 month Evaluation was nothing more than lies and it had to be thrown out because MANAGEMENT had not provided me a job description, I was hire under a system P.D.
 ⑤ I was not a probationary employee when terminated.

10. The alleged illegal activity took place at 215 Perry Hill RD, Montgomery
AL 36109

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Agency # 2001-0619-2004102917

11. I filed charges with the Equal Employment Opportunity Commission regarding defendant(s)' alleged discriminatory conduct on or about 7/6/2004. I have attached a copy of the Notice-of-Right-to-Sue letter issued by the Equal Employment Opportunity Commission. This letter was received by me on _____.

12. I seek the following relief:

- A. ☒ Recovery of back pay.
B. ☒ Reinstatement to my former job,
and any other relief as may be appropriate, including injunctive orders, damages, costs, and attorney's fees.

Date: 4/10/05

Lucy D. Monahan
Signature of Plaintiff
3327 Luncetford St
Montgomery, AL 36108
251-650-2462 or 334-538-6939
Address & Telephone Number of Plaintiff

**IN UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA RECEIVED
Northern Division**

2006 JUL 14 P 12:00

Larry D Thomas
Plaintiff

Civil Action NO 2:05cv437-T

LERA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Vs.

R. James Nicholson,
Defendants

Motion for Leave To File an Amended Supplement Complaint

6. From the time I was hired and my first meeting was held, I was placed under **Mr. Ty Beasley** a Pharmacist, none of the other "WHITE" Implementation Manager was placed under a Pharmacist or anyone else. The national office guided the VISN's and the VISN 7 Implementation Manager **Mr. Tim Egan** guided all of the sites in his VISN.

There was no need to place anyone over me to micro management me.

7. I was never given the appropriate permissions to perform the duties for which I had been assigned or hired to do.

When a new employee arrives there profile (Permission) is normal setup by the software group and you are then notified of this in writing.

In my section I was privilege to one new employee start "**Mr. Jay Meninger**", hired about 6 months after me and the software group setup his profile (Permissions "WHITE Employee").

8. My profile was not setup by the software group; my profile was setup by **Mrs. Saundrah Venne** the Visa Imaging System Manager. My permission were intentionally altered to look as if I had the appropriate permissions. I wondered why it took **Mrs. Saundrah Venne** 3 days to setup my profile when it should have been identical to her on which mean a copy and paste. All the other "WHITE" managers around the VISN 7 had their profiles setup the correct way by the software group. **Example 1:** I remember around or about my first month of employment, the National Implementation Team were out helping us setup and asked me to do something in the system setup, I did not have the appropriate permissions assign to perform the task. management was informed by the national trainer and I also informed my supervisors that my permission were not correct and I could not perform my duties. "None of the other White Vista Imaging Implementation Managers" had their permissions altered from the beginning so that they would fail.

9. Mr. Harold Carlisle held a meeting with **Ty Beasley** and **Mr. Larry Thomas** about my second month there bases on a false allegation made by **Mrs. Saundrah Venne** that I had rebooted the system and lost patient information.

Mr. Civil Action NO 2:05cv437-T

I explain to **Carlisle** that I did not reboot the servers and let **Mr. Carlisle** know that this was done by the network manager Mr. Steve. **Mr. Carlisle** call **Mr. Steve** to verify that he had reboot the servers and **Mr. Steve** told him yes he did reboot the system and why.

Mr. Carlisle then said to me he was going to restrict my network access so that I did not cause any more problems. I asked why would you restrict my access when this system is new to everyone and we are all in a learning curve. **Mr. Carlisle** stated he wanted me to focus on the training of providers and let **Mrs. Venne** worry about the network.

None of the other "White" Implementation Managers in VISN 7 had there access restricted for no reason, but as I began to think about it "**Mr. Thomas**" was never given full permissions.

10. My employer **Mr. Harold Carlisle** VISN 7 Communication Manager and **Mr. William Greer** calls me to a meeting and asks if I would bring all of my certifications. **Mr. William Greer** "WHITE" Chief Information Officer (CIO) went on to say he did not believe my certifications were real and ask that I call Microsoft and provide addition proof; I told **Mr. William Greer** (CIO) if he need more proof he would need to call Microsoft himself. There were several other Vista Imaging Implementation Managers in VISN 7 all "WHITE" none of them were ever called into a meeting and ask to provide proof of their certifications "Qualifications." I felt I provide this information during employment screening.

11. Constantly **Mr. Carlisle** and **Mr. Greer** was attempting to push the duties of the Vista Imaging System Manager on **Mr. Larry Thomas** the Implementation Manager and make **Mr. Thomas** accountable for system problems. When the national trainers came out the system issue were all placed into my evaluation as if I was giving poor customer service. The provider could not be trained because the system was not ready. None of the other "WHITE" Implementation Managers in VISN 7 had to endure this process.

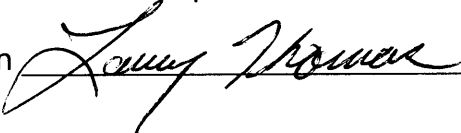
12. **Mr. William Greer** (CIO) was putting pressure on **Mr. Thomas** (Implementation Manager) to fix a problem that was in the system duties. **Mrs. Saundrah Venne** (system Manager) told Mr. Greer that is was not her job to assign the permission to the doctors. This process went on a hold day and when it was all said and done, it was found to be the duties of the system manager and the Bio Med system people. I didn't have the permission to perform the task even if I wanted too, remember I was never given the permission to perform my duties.

14. **Mr. Thomas** was given poor evaluation during his first 6 months and had "never been given a proper job standard". **Mr. Thomas** did not get any type of job description until after his six months evaluation. Why was **Mr. Thomas** evaluated poorly and doing the same job as the other Implementation Managers, following the guidance of the VISN.

None of the other "WHITE" Implementation Managers were given poor evaluations and they were all doing the same job.


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15. **Mrs. Sandra Venne** filed a false sexual harassment case to the internal EEOC and this is the same person that setup my account so that I would fail at my job. The claim was so poor that Mrs. Venne knowing VA protocol never once said any thing to me or my supervisor, all her issues were about me talking down to her and I never once disrespected **Mrs. Venne**. Nothing came out of the EEOC claim except and agreement that someone be present doing our weekly meeting with **Mrs. Sandra Venne** and **Mr. Thomas**. She was not able to prove harassment of any kind but Management made it a factor in my termination. Let it me known that **Mr. Thomas** worked with over 300 provider with a greater of them being female and no such complaint were ever made about me.

Sign  Date 07/14/06

Executed on July 7, 2006

Respectfully submitted,

 07/14/06
Larry D Thomas / Plaintiff
3327 Lunceford St
Montgomery, Alabama 36108

ATTN: Magistrate Judge Charles Coody
OFFICE OF THE CLERK
United States District Court
P.O Box 771
Montgomery, Alabama 35101-0711

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